

Senate Daily Reader

Wednesday, February 12, 2003

[illegible]

State of South Dakota

SEVENTY-EIGHTH SESSION LEGISLATIVE ASSEMBLY, 2003

490I0359

HOUSE ENGROSSED NO. **HB 1081** - 02/03/2003

Introduced by: Representatives Pederson (Gordon) and Hennies and Senators Vitter and McCracken

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to annual elections,
2 conflicts of interest, and dissolution of road districts.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 31-12A-15 be amended to read as follows:

5 31-12A-15. In each road district an annual election of officers shall be held on the first
6 Tuesday ~~after the anniversary date of the first election in~~ May at a place in the district as the
7 board of trustees shall designate. The election shall be conducted according to chapter 8-3, at
8 a meeting of the registered voters who reside in the road district.

9 Section 2. That § 31-12A-24 be amended to read as follows:

10 31-12A-24. No trustee or employee of a road district ~~shall~~ may be directly or indirectly
11 interested in any contract, work, or business of the district, or the sale of any article, the expense,
12 price, or cost of which is paid by ~~such~~ the district, nor in the purchase of any real, personal, or
13 other property belonging to the district, or which shall be sold for taxes or assessments, or by
14 virtue of legal process at the suit of ~~said~~ the district. No trustee may be a joint or co-owner of
15 land in the road district with an employee of the same road district.



1 Section 3. That § 31-12A-27 be amended to read as follows:

2 31-12A-27. A majority of the qualified voters of a road district may petition a court of
3 competent jurisdiction for the dissolution of the road district. However, if the qualified voters
4 of a road district constitute less than fifty percent of the landowners in the district, a majority
5 of the landowners may petition the court as provided in this section. Dissolution proceedings
6 shall, to the extent applicable, conform to the provisions for dissolution of municipalities
7 pursuant to chapter 9-6.

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

534I0490

SENATE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **SB 165** - 02/10/2003

Introduced by: Senators Diedrich (Larry), Brown, Dempster, Olson (Ed), and Reedy and
Representatives Solum, Kroger, and Murschel

1 FOR AN ACT ENTITLED, An Act to establish the United States census estimates as the basis
2 upon which liquor licenses may be issued.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 35-4-11 be amended to read as follows:

5 35-4-11. If not fixed by ordinance, the governing board of any municipality may on or before
6 the first of September in each year, by resolution, determine the number of on-sale and off-sale
7 licenses it will approve for the ensuing calendar year, and the fees to be charged for the various
8 classifications of licenses. The number of on-sale licenses issued may not exceed three each for
9 the first one thousand of population or fraction thereof and not exceed one each of such licenses
10 for each additional one thousand five hundred of population or fraction thereof. The number of
11 licenses allowable may not be less than the total number of licenses allowable or issued as of
12 July 1, 1981. The municipal governing board shall at such meeting establish the fee for on-sale
13 licenses pursuant to subdivisions 35-4-2(4) and (13). ~~Such~~ The fee shall apply applies to all such
14 on-sale licenses issued in the ensuing calendar year. The quotas established in this section do not
15 apply to licenses issued pursuant to subdivisions 35-4-2(16) and (17).



1 For the purposes of this section, population is equal to ninety percent of the population
2 estimates published by the United States Census Bureau for each even-numbered year, except
3 for the decennial year. For a decennial year, population is equal to the amount determined by the
4 decennial federal census.

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

183I0573

SENATE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **SB 178** - 02/11/2003

Introduced by: Senators de Hueck, Abdallah, Bogue, Brown, Duniphan, Knudson, and Koetzle and Representatives LaRue, Adelstein, Buckingham, Cutler, Elliott, Haverly, Hennies, Murschel, and Weems

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the publication and
2 distribution of municipal and school district minutes.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-8-35 be amended to read as follows:

5 13-8-35. Within twenty days after a meeting of the school board, the board shall cause to be
6 published in the designated legal newspaper a full account of the unapproved proceedings of such
7 meeting, giving a detailed statement of all expenditures of money, with the names of persons to
8 whom payment is made, showing the service rendered or goods furnished, a detailed statement
9 of receipts, and balance on hand. Expenditures and receipts of trust and agency funds may be
10 published in total only.

11 If the published minutes of the previous meeting of the board are modified, amended, or
12 corrected by such board subsequent to such publication and prior to approval by the board, ~~such~~
13 the changes shall be reflected in the minutes of the meeting at which ~~such~~ the modifications,
14 amendments, or corrections are made.



1 The business manager shall sign each legal publication submitted to the newspaper. The
2 school board shall make copies of the minutes available to the public at any public library in the
3 school district, at the school district's business office, and by means of a mailing list, which shall
4 be established at the school district's business finance office and shall be used to mail copies of
5 the minutes to members of the public who request to be on the mailing list. If less expensive than
6 publishing in the designated legal newspaper, in lieu of such publication the school board may
7 mail or otherwise distribute the minutes to each address within the boundaries of the school
8 district. Any newspaper may publish the minutes free of charge as a public service announcement
9 in lieu of publishing for pay. The school board of a school district in any first-class municipality
10 may publish its minutes on the internet in lieu of publishing the minutes in the official legal
11 newspaper or other newspaper. Twice each year, each school district shall publish a notice in the
12 designated legal newspaper specifying where the minutes are available and how they may be
13 obtained.

14 Section 2. That chapter 13-8 be amended by adding thereto a NEW SECTION to read as
15 follows:

16 Any publication required to be published by any school district in a legal newspaper shall bear
17 an inscription listing the publisher and the approximate cost of publication of the notice, report,
18 ordinance, resolution, or any other required publication. The style of the inscription shall be as
19 follows: "This required notice was published by _____ (inserting name of newspaper)
20 at the cost of _____ (inserting cost of the required publication taxpayer dollars).

21 Section 3. That § 9-18-1 be amended to read as follows:

22 9-18-1. The governing body of every municipality shall cause to be published in the official
23 legal newspaper ~~therein~~ of the municipality, or, if no official legal newspaper is published ~~therein~~
24 in the municipality, in any legal newspaper ~~which serves such~~ that serves the municipality, within

1 thirty days after each meeting ~~thereof~~ of the governing body, the minutes of the meeting
2 containing a full account of the proceedings at ~~such~~ the meeting, giving a detailed statement of
3 all expenditures of money, the names of the persons to whom payment is made, and showing the
4 service rendered therefor. It shall pay for publishing ~~such~~ the proceedings not to exceed ninety
5 percent of the legal line rates for weekly newspapers and not to exceed the legal line rate for
6 daily newspapers, as provided in § 17-2-19. The governing body shall make copies of the
7 minutes available to the public at any public library in the municipality and at the municipal
8 finance office and by means of a mailing list, which shall be established at the municipal finance
9 office and shall be used to mail copies of the minutes to members of the public who request to
10 be on the mailing list. If less expensive than publishing in the official newspaper, in lieu of such
11 publication the governing body may mail or otherwise distribute the minutes to each address
12 within the boundaries of the municipality. Any newspaper may publish the minutes free of charge
13 as a public service announcement in lieu of publishing for pay. The governing body of any
14 first-class municipality may publish its minutes on the internet in lieu of publishing the minutes
15 in the official legal newspaper or other newspaper. Twice each year, each municipality shall
16 publish a notice as provided in this section specifying where the minutes are available and how
17 they may be obtained.

18 Section 4. That chapter 9-18 be amended by adding thereto a NEW SECTION to read as
19 follows:

20 Any publication required to be published by any municipality in a legal newspaper shall bear
21 an inscription listing the published newspaper and the approximate cost of publication of the
22 notice, report, ordinance, resolution, or any other required publication. The style of the
23 inscription shall be as follows: "This required notice was published by _____ (inserting
24 name of newspaper) at the cost of _____ (inserting cost of the required publication

1 taxpayer dollars.